

Special (C) 1 of 2024
Reg. No. 1/2024
State Vs Pandu Gurung @ Pandav Gurung
Sadar Women P.S Case No. 01/2024 dated 31.01.2024 u/s 8 of POCSO Act.

Order No. 04 dt. 05.02.2024

Today is fixed for production of accused and hearing of bail application.

Accused Pandu Gurung @ Pandav Gurung is produced from Correctional Home.

Ld. Counsel for the accused and Special P.P. are present.

Learned Counsel for the accused files a bail petition again. Copy served.

Ld. Counsel for the accused submitted that accused is aged about 70 years and he serve nation as Army Personnel. Due to political rivalry between his son and others this case has been initiated. It is submitted that accused is suffering from different ailments and if this Court allowed bail application the accused will not enter the jurisdiction of Sadar P.S till completion of investigation and prays for bail on any condition.

Ld. Special P.P opposes prayer for bail and produced Case Diary.

On perusal of case record allegation against accused is touching private part of VG. From case diary it appears that statement of VG has been recorded and statement under section 161 of Cr.P.C of other witnesses have been recorded. Record shows that detention of accused is not necessary for the purpose of investigation.

Considering above and considering age of accused prayer for bail of accused is considered and allowed.

Accused Pandu Gurung @ Pandav Gurung may be released on **Interim bail** till **19.02.2024** on furnishing bail bond of Rs. 5,000/- with one registered surety subject to satisfaction of Ld. CJM, Darjeeling on condition that accused shall not enter the jurisdiction of Sadar Women P.S Darjeeling till completion of investigation.

Accused is directed to furnish his address where he will reside on release on bail.

Accused is also directed to meet I.O of this case as and when directed by I.O.

Let a copy of this order be sent to Ld. CJM, Darjeeling for information.

Fix **19.02.2024** for appearance of the accused/ production if bail bond is not filed and I.O's report in final form.

Sd/-
Special Judge,
Under POCSO Act, 2012, Darjeeling.